

UNITED STATES DISTRICT COURT
for the
Eastern District of Michigan

United States of America

v.

Kaden Elizabeth Gilbert

Case No. 20-mj-30487

**AMENDED
CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of November 16, 2020 in the county of Isabella in the
Eastern District of Michigan, the defendant(s) violated:

*Code Section**Offense Description*

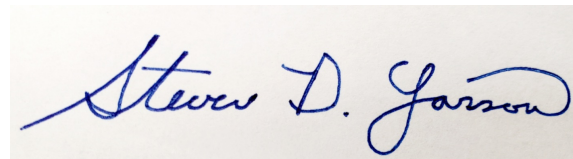
18 U.S.C. § 1151
18 U.S.C. § 1152
18 U.S.C. § 1111(a), Murder 1st degree, Count 1
18 U.S.C. § 113(a)(3), Assault with Dangerous
Weapon, Counts 2 & 3
18 U.S.C. § 113(a)(6), Assault Causing Serious
Bodily Injury Counts 4 & 5

Defendant, a non-Indian, COUNT 1: willfully, deliberately, maliciously, and with premeditation and malice aforethought did unlawfully kill N.M., an Indian; COUNTS 2 & 3: assaulted, that is, intentionally struck and injured N.M. and J.A., both Indians, with a dangerous weapon, to wit: a knife, with the intent to do bodily harm; COUNTS 4 & 5: assaulted, N.M. and J.A., both Indians, and that assault resulted in serious bodily injury, and this all occurred within Indian country, in violation of 18 U.S.C. §§ 1151, 1152, 1111(a) (count 1), 113(a)(3) (counts 2 & 3), and 113(a)(6) (counts 4 & 5),

This criminal complaint is based on these facts:

See attached affidavit.

☒ Continued on the attached sheet.



Complainant's signature

Steven Larson, Special Agent, FBI

Printed name and title

Sworn to before me and signed in my presence.

Date: 12/1/2020

City and state: Bay City, Michigan



Judge's signature

Patricia T. Morris, United States Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT
FOR KADEN ELIZABETH GILBERT**

I, Steven Larson, being duly sworn, depose and state:

1. I am a Special Agent with the Federal Bureau of Investigation and have been a law enforcement officer for approximately 21 years. During my career I have been involved in numerous investigations concerning assaults, weapons, and homicide. The following is based on a statement from witnesses and statements from other law enforcement officers and individuals.

2. The information included in this affidavit is provided for the limited purpose of establishing probable cause that Kaden Elizabeth Gilbert committed the offenses of murder in the first degree, two counts of assault with a dangerous weapon with the intent to do bodily harm, and two counts of assault causing serious bodily injury on or around November 16, 2020, in violation of 18 U.S.C. §§ 1111(a), 113(a)(3), and 18 U.S.C. § 113(a)(6) respectively and therefore it does not contain all of the facts known to me. Additionally, unless otherwise noted, wherever in this affidavit I assert that an individual made a statement, that statement is described in substance herein and is not intended to be a verbatim recitation of such statement.

3. Two eye witnesses told police they saw Kaden Elizabeth Gilbert stab N.M. and J.A. with a knife on or about November 16, 2020 at 714 S. Oak Street, Mt.

Pleasant, MI on the Isabella Reservation in Indian country. Additionally, one of the eye witnesses said that N.M. told him that N.M. was stabbed by Kaden Gilbert.

4. According to Autume Balcom, a Mount Pleasant Police Department Officer, N.M. and J.A. are both Indians and Gilbert is listed as a non-Indian in her criminal history LEIN paperwork.

5. A video recording which partially shows the incident exists and was reviewed by Affiant. The video appears to show the following: Gilbert got a knife into her hand at around 2:24:25 a.m. and concealed it under her sleeve.

6. Other things that are shown in the video are as follows: at 2:24:30 a.m. Gilbert stood in the area of the doorway where the stabbing occurred. At 2:25:02 a.m. Gilbert entered or approached the doorway of the apartment building. At 2:25:14 a.m. Gilbert exited that area and took five steps backwards away from the doorway. No one else appeared in the video in the gap between Gilbert and the doorway to the apartment building during that time with the exception of someone's feet briefly appearing. At 2:25:20 a.m. Gilbert moved quickly forward toward the doorway to the apartment. Gilbert covered the same amount of distance she covered in the previously mentioned five backwards steps in two long step. As Gilbert got near the door of the apartment she made multiple underhand jabbing/stabbing motions with her right hand into the area of the apartment building doorway. At 2:25:23 a.m. Gilbert entered the apartment building out of view of the camera. At 2:25:27 a.m. Gilbert exited. At

2:25:31 a.m. Gilbert re-entered the apartment building and was out of view of the camera. At 2:25:36 a.m. Gilbert exited the apartment and ran away toward the camera.

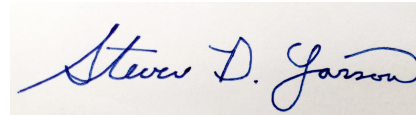
7. The video does not show either of the stabbing victims outside of the apartment building during the times mentioned above and does not show them being stabbed. Due to the angle of the camera, the video does not show the inside the apartment building where the stabbing happened, only the area immediately outside the apartment doorway is shown. Around 50 seconds passed between the time that Gilbert opened the knife and the time when Gilbert started making jabbing/stabbing motions with the knife where the victims were injured.

8. Both victims were stabbed in locations on their bodies consistent with the underhand jabbing/stabbing motions seen in the video. J.A. was stabbed in the mid-lower abdominal area. N.M. was stabbed in her left upper thigh. According to the doctor who treated N.M., N.M. lost almost all of her blood from the stabbing due to her femoral artery being severed. In an effort to save N.M.'s life, N.M. had approximately 25 minutes of cardio pulmonary resuscitation and had two electrical shocks. This resuscitated her temporarily, however, N.M. eventually died from the injuries sustained during the stabbing. J.A.'s intestines protruded out of the stab wound caused by the incident.

9. On November 16, 2020 and November 17, 2020, Office Autume Balcom of the Mt. Pleasant Police Department sought and obtained federal criminal

complaints against Kaden Gilbert for violations of federal law arising out of the same incident referenced herein. Officer Balcom recently learned, however, that her re-certification with the Bureau of Indian Affairs is still pending. Thus, out of an abundance of caution, I am seeking the issuance of an amended complaint with myself as the affiant.

10. Based on the above-described information, there is probable cause to believe that on or around November 16, 2020, Kaden Elizabeth Gilbert committed one count of murder in the first degree, in violation of 18 U.S.C. § 1111(a); two counts of assault with a dangerous weapon with the intent to do bodily harm, in violation of 18 U.S.C. § 113(a)(3) and two counts of assault causing serious bodily injury, in violation of 18 U.S.C. § 113(a)(6).



Steven Larson
FBI

Sworn to before me and signed in my presence
and/or by reliable electronic means.



HON. PATRICIA MORRIS
United States Magistrate Judge